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**Nevada
SERC**

**RENO, SPARKS AND WASHOE COUNTY
LOCAL EMERGENCY PLANNING COMMITTEE
(LEPC)
2009 BYLAWS**

ARTICLE I. PURPOSE

THE STATE EMERGENCY RESPONSE COMMISSION (SERC) HAS ESTABLISHED LOCAL EMERGENCY PLANNING COMMITTEES (LEPC) IN EACH OF NEVADA'S COUNTIES. THE PURPOSE OF THE LEPC IS TO:

- A. FACILITATE AND ACCOMPLISH COMPREHENSIVE EMERGENCY RESPONSE PLANNING FOR HAZARDOUS MATERIAL INCIDENTS, ACCIDENTS, OR RELEASES.**
- B. INVOLVE STATE AND LOCAL GOVERNMENTS AND PRIVATE INDUSTRY IN DEVELOPING AND EXERCISING EMERGENCY PLANS.**
- C. WORK WITH THE STATE OF NEVADA SERC AND FIRE MARSHAL'S OFFICE TO MAINTAIN A DATABASE ON THE NEVADA CHEMICAL FACILITY DATABASE (NCFD).**
- D. PROVIDE LOCAL RESIDENTS WITH ACCESS TO INFORMATION CONCERNING HAZARDOUS MATERIALS UNDER THE "COMMUNITY RIGHT TO KNOW" PORTION OF EMERGENCY PLANNING AND COMMUNITY RIGHT-TO-KNOW (EPCRA) THE LAW.**
- E. IMPROVE PUBLIC SAFETY CAPABILITIES TO RESPOND TO AND DEAL WITH THE IMPACT OF HAZARDOUS MATERIAL INCIDENTS, ACCIDENTS, OR RELEASES ON OUR ACTIVITIES AND THE ENVIRONMENT.**

ARTICLE II: MEMBERSHIP

- A. THE LOCAL EMERGENCY PLANNING COMMITTEE SHALL CONSIST OF VOTING MEMBERS FROM THE FOLLOWING CATEGORIES, AS PROVIDED IN 42 USC 11001**
 - ELECTED STATE AND LOCAL OFFICIALS**
 - LAW ENFORCEMENT**
 - CIVIL DEFENSE/EMERGENCY MANAGEMENT**
 - FIREFIGHTING**
 - DISTRICT HEALTH DEPARTMENT**
 - FIRST AID/ EMERGENCY MEDICAL SERVICES**
 - HOSPITALS**
 - ENVIRONMENTAL**
 - TRANSPORTATION AND INFRASTRUCTURE PERSONNEL**

- BROADCAST AND/OR PRINT MEDIA
- COMMUNITY GROUPS
- OWNERS AND OPERATORS OF FACILITIES SUBJECT TO THE REQUIREMENTS OF EMERGENCY PLANNING AND COMMUNITY RIGHT-TO-KNOW ACT (EPCRA)
- STATE/LOCAL/TRIBAL GOVERNMENTS
- PUBLIC SAFETY COMMUNICATIONS

THE COMMITTEE SHALL CONSIST OF A MINIMUM OF ONE VOTING MEMBER FROM EACH OF THE DESIGNATED CATEGORIES. THE EXECUTIVE COMMITTEE MAY, IN ITS DISCRETION, ESTABLISH ADDITIONAL CATEGORIES OF REPRESENTATION AS THE NEED ARISES.

EACH DESIGNATED AGENCY/ENTITY WITHIN A CATEGORY WILL BE ASKED TO SPECIFY A PRIMARY AND A MAXIMUM OF TWO ALTERNATIVE REPRESENTATIVES. EACH AGENCY/ENTITY IS ENTITLED TO NO MORE THAN ONE VOTE PER CATEGORY. IF THE PRIMARY REPRESENTATIVE IS UNABLE TO ATTEND, ONE ALTERNATE REPRESENTATIVE WILL BE PERMITTED TO VOTE. IF ALL DESIGNATED REPRESENTATIVES OF AN AGENCY/ENTITY ARE UNABLE TO ATTEND, THE PRIMARY REPRESENTATIVE MAY BE PRESENT BY PHONE FOR PURPOSES OF ESTABLISHING A QUORUM AND VOTING.

- B. THE TOTAL MEMBERSHIP OF THE LEPC SHALL NOT EXCEED FIFTY (50) MEMBERS. A QUORUM IS DEFINED AS A SIMPLE MAJORITY OF THE PRIMARY VOTING MEMBERSHIP.
- C. MEMBERS WILL RECEIVE NO PERSONAL COMPENSATION FOR THEIR SERVICE ON THE LEPC, INCLUDING THE EXECUTIVE COMMITTEE AND ALL SUBCOMMITTEES.

ARTICLE III. OFFICERS

- A. ALL OFFICERS ARE ELECTED ANNUALLY BY A SIMPLE MAJORITY OF A QUORUM OF THE MEMBERS OF THE LEPC, EXCEPT FOR THE CHAIRPERSON. THE ELECTED OFFICERS WILL SERVE FOR A PERIOD OF ONE YEAR COMMENCING OCTOBER 1ST OF EACH YEAR. NO PERSON SHALL BE ELECTED AS AN OFFICER OR COMMITTEE CHAIRPERSON WITHOUT HAVING FIRST SERVED ON THE LEPC AS EITHER A PRIMARY OR ALTERNATE VOTING MEMBER FOR A PERIOD OF AT LEAST ONE (1) CALENDAR YEAR.

CHAIRPERSON.

THE CHAIRPERSON SHALL SERVE A ONE YEAR TERM COMMENCING ON OCTOBER 1ST OF EACH CALENDAR YEAR, HAVING ASSUMED THE POSITION AFTER HAVING BEEN DULY ELECTED AND SERVING ONE YEAR AS THE VICE CHAIRPERSON.

THE CHAIRPERSON SHALL:

- A. BE RESPONSIBLE FOR CONDUCTING THE REGULARLY SCHEDULED MEETINGS, SPECIAL MEETINGS AS REQUIRED AND THE EXECUTIVE COMMITTEE MEETINGS.**
 - B. AUTHORIZE THE EXPENDITURE OF DISCRETIONARY, OPERATIONAL FUNDS GRANTED BY THE SERC, WITHIN ESTABLISHED GUIDELINES.**
 - C. BE RESPONSIBLE FOR CONDUCTING THE ANNUAL REVIEW OF THE LEPC HAZARDOUS MATERIALS EMERGENCY PLAN.**
 - D. APPOINT THE SUBCOMMITTEE CHAIRPERSONS.**
 - E. SUBMIT PROGRAM REPORTS TO THE LEPC, SERC, AND THE NEVADA HOMELAND SECURITY COMMITTEE (HSC) REGARDING GRANT MONEY ALLOCATIONS AND EXPENDITURES.**
 - F. ATTEND SERC AND HSC MEETINGS OR PROVIDE A DESIGNATED REPLACEMENT TO ATTEND.**
 - G. ACT AS LIAISON BETWEEN THE LEPC, AND THE SERC AND HSC CHAIRPERSONS AND EXECUTIVE BOARDS.**
 - H. SERVE AS A COORDINATOR OF INFORMATION TO RESPOND TO PUBLIC REQUESTS AS STATED BY EMERGENCY PLANNING AND COMMUNITY RIGHT-TO-KNOW ACT (EPCRA).**
- 2. VICE CHAIRPERSON.**

THE VICE CHAIRPERSON SHALL SERVE A ONE YEAR TERM COMMENCING ON OCTOBER 1ST OF EACH CALENDAR YEAR AND THEN ASSUME THE POSITION AND DUTIES OF CHAIRPERSON FOR AN ADDITIONAL ONE YEAR TERM.

THE VICE CHAIRPERSON SHALL:

- A. PERFORM ALL THE DUTIES OF THE CHAIRPERSON IN HIS/HER ABSENCE.**
- B. SUCCEED TO THE CHAIRMANSHIP OF THE LEPC UPON THE EXPIRATION OF THE CHAIRPERSON'S TERM. IN THE EVENT THE CHAIR BECOMES VACANT DURING THE ONE YEAR TERM, THE VICE CHAIRPERSON SHALL ASSUME THE DUTIES FOR THE REMAINDER OF THE CHAIRPERSON'S TERM BEFORE SUCCEEDING TO HIS/HER OWN TERM AS CHAIRPERSON.**

3. AT-LARGE.

- A. THE AT-LARGE MEMBER SHALL SERVE A ONE YEAR TERM COMMENCING ON OCTOBER 1ST OF EACH CALENDAR YEAR.**
- B. THE AT-LARGE MEMBER SHALL PERFORM ALL THE DUTIES OF THE VICE CHAIRPERSON IN HIS/HER ABSENCE.**

4. SECRETARY-TREASURER.

- A. THE SECRETARY-TREASURER POSITION SHALL BE A NON-VOTING POSITION, APPOINTED BY THE EXECUTIVE COMMITTEE.**
- B. THE TREASURER RESPONSIBILITIES SHALL INCLUDE**

- (1) PREPARATION AND PRESENTATION OF FINANCIAL REPORTS AT ALL MEETINGS.**
- (2) MONITORING AND TRACKING THE DISTRIBUTION OF ALL EQUIPMENT.**
- (3) PROCESSING AND APPROVING GRANT EXPENDITURES AND PROVIDING QUARTERLY REPORTS TO GRANTING AGENCIES.**

C. THE SECRETARY RESPONSIBILITIES SHALL INCLUDE:

KEEPING OR CAUSING TO BE KEPT ALL MINUTES OF MEETINGS, INCLUDING SUBCOMMITTEE MEETINGS.

KEEPING AN ATTENDANCE ROSTER OF EACH MEETING AND PAST MEETING NOTICES.

- (3) NOTICING EACH MEETING IN COMPLIANCE WITH THE OPEN MEETING LAW.**
- (4) KEEPING A CURRENT LISTING OF ALL COMMITTEE MEMBERS.**
- (5) NOMINATIONS FOR, AND ELECTION OF OFFICERS OCCUR DURING THE ANNUAL ELECTION PROCESS OF THE CALENDAR YEAR, AS DESIGNATED BY THE EXECUTIVE COMMITTEE.**

- B. OFFICERS WILL RECEIVE NO PERSONAL COMPENSATION FOR THE PERFORMANCE OF THEIR DUTIES OR SERVICES.**

ARTICLE IV. EXECUTIVE COMMITTEE

- A. THE EXECUTIVE COMMITTEE SHALL CONSIST OF THE LEPC OFFICERS AND CHAIRPERSONS OF THE SUBCOMMITTEES.**
- B. THE EXECUTIVE COMMITTEE IS RESPONSIBLE FOR DIRECTING THE LEPC IN ITS ACTIVITIES TO ASSURE COMPLIANCE WITH ITS MANDATE AND THE STATE AND FEDERAL LAWS ESTABLISHING THE LOCAL EMERGENCY PLANNING COMMITTEE.**
- C. EXECUTIVE COMMITTEE MEETINGS ARE OPEN TO THE GENERAL MEMBERSHIP AND THE PUBLIC AND MEMBERS WILL BE NOTIFIED.**
- D. THE CHAIRPERSON MAY CONVENE MEETINGS AS NEEDED, BUT A LEAST ONE (1) MEETING ANNUALLY.**
- E. THE EXECUTIVE COMMITTEE SHALL APPROVE BY A SIMPLE MAJORITY VOTE ALL AGENCIES/ENTITIES GRANTED MEMBERSHIP IN THE LEPC WITH THE INTENT TO MAINTAIN BALANCED REPRESENTATION. MEMBERSHIP THAT IS DENIED BY THE EXECUTIVE COMMITTEE MAY BE APPEALED TO THE GENERAL MEMBERSHIP.**
- F. THE EXECUTIVE COMMITTEE HAS THE AUTHORITY TO TERMINATE VOTING MEMBERSHIP OF ANY AGENCY/ENTITY FOR WHOM A DESIGNATED REPRESENTATIVE DOES NOT ATTEND A MINIMUM OF TWO CONSECUTIVE QUARTERLY MEETINGS. IF A MEMBER AGENCY/ENTITY IS TERMINATED FOR NON-ATTENDANCE, THE EXECUTIVE COMMITTEE SHALL SOLICIT ANOTHER MEMBER FROM THE TERMINATED MEMBER'S CATEGORY.**

ARTICLE V. SUBCOMMITTEES.

- A. THE LEPC STANDING SUBCOMMITTEES ARE:**
 - 1. PLANNING AND TRAINING SUBCOMMITTEE**
 - 2. GRANTS AND FINANCE SUBCOMMITTEE.**
- B. SUBCOMMITTEE CHAIRPERSONS WILL BE APPOINTED BY THE LEPC CHAIRPERSON ANNUALLY IN OCTOBER.**
- C. SUBCOMMITTEE CHAIRPERSONS WILL SUBMIT REPORTS TO THE LEPC CHAIRPERSON AND MEMBERSHIP AS NECESSARY.**
- D. THE LEPC MAY ESTABLISH ADDITIONAL SUBCOMMITTEES AS NEEDED.**

ARTICLE VI. LEPC RESPONSIBILITIES.

- A. CONDUCT REGULAR MEETINGS, AS NEEDED, BUT IN ANY EVENT NO LESS THAN ONE MEETING PER QUARTER.**
- B. POST MEETING AGENDAS AND CONDUCT MEETINGS, INCLUDING SUBCOMMITTEE MEETINGS IN ACCORDANCE WITH THE NEVADA OPEN MEETING LAW.**
- C. MAINTAIN MINUTES APPROVED BY THE MEMBERSHIP OF THE LEPC AND PROVIDE COPIES AS NEEDED TO THE SERC, HSC, LEPC MEMBERS AND OTHER INTERESTED PARTIES.**
- D. UPDATE THE REGIONAL HAZARDOUS MATERIAL EMERGENCY PLAN ANNUALLY AND SUBMIT IT TO THE SERC.**
- E. PLAN, EXECUTE AND PREPARE POST INCIDENT REPORTS ON TRAINING EXERCISES AT LEAST ANNUALLY.**
- F. REVIEW AND MAKE RECOMMENDATIONS ON ALL GRANT REQUESTS.**
- G. AS REQUIRED, MAINTAIN AN INVENTORY OF EQUIPMENT ITEMS PURCHASED WITH GRANT DOLLARS.**
- H. MONITOR GRANT EXPENDITURES AND PROVIDE QUARTERLY REPORTS TO THE GRANTING AGENCIES.**

APPROVE GRANT AMENDMENT REQUESTS AND FORWARD TO THE APPROPRIATE GRANTING AGENCIES FOR APPROVAL.
- J. DEVELOP, REVIEW, AND REVISE BYLAWS AS NEEDED AND REPORT ANNUALLY TO THE SERC.**
- K. SUBMIT MEMBERSHIP LIST TO SERC ANNUALLY FOR APPROVAL.**
- L. THE LOCAL EMERGENCY PLANNING COMMITTEE SHALL ANNUALLY PUBLISH A NOTICE IN LOCAL NEWSPAPERS THAT THE EMERGENCY RESPONSE PLAN, MATERIAL SAFETY DATA SHEETS, AND INVENTORY FORMS HAVE BEEN SUBMITTED ACCORDING TO THE EMERGENCY PLANNING AND COMMUNITY RIGHT-TO-KNOW ACT (EPCRA). THE NOTICE SHALL STATE THAT FOLLOW-UP EMERGENCY NOTICES MAY SUBSEQUENTLY BE ISSUED. SUCH NOTICE SHALL ANNOUNCE THAT MEMBERS OF THE PUBLIC WHO WISH TO REVIEW ANY SUCH PLAN, SHEET, FORM OR FOLLOW-UP NOTICE MAY DO SO AT THE LOCATION DESIGNATED.**

**THESE BYLAWS WERE APPROVED BY A UNANIMOUS VOTE OF THE MEMBERSHIP OF THE
LEPC PRESENT AT A MEETING HELD ON THE 19TH DAY OF FEBRUARY 2009.**


CHAIRPERSON